

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

BARRY LEE BROOKINS,  
  
Plaintiff,  
  
v.  
  
L. MARTINEZ, et al.,  
  
Defendants.

No. 1:24-cv-01158-JLT-SAB (PC)

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS, AND DIRECTING  
PLAINTIFF TO PAY FILING FEE WITHIN  
21 DAYS**

(Doc. 5)

The assigned magistrate judge issued Findings and Recommendations recommending that Plaintiff's application to proceed *in forma pauperis* be denied as Plaintiff has suffered three or more strikes under 28 U.S.C. § 1915(g). (Doc. 5.) The Court served the Findings and Recommendations upon the parties and notified them that any objections must be filed within 14 days of the date of service. (Doc. 5 at 3.) The Court also informed Plaintiff the "failure to file objections within the specified time may result in the waiver of rights on appeal." (*Id.*, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 839 (9th Cir. 2014).) Plaintiff filed objections on October 24, 2024, but they do not meaningfully contest that he suffered three or more strikes and that his complaint fails to allege imminent danger. (Doc. 6.)

According to the provisions of 28 U.S.C. § 636(b)(1)(C), this Court conducted a *de novo* review of this case. Having carefully reviewed the entire file, including Plaintiff's objections, the Court finds the findings and recommendations to be supported by the record and proper analysis.

1 Accordingly, the Court **ORDERS**:

2 1. The Findings and Recommendations issued on October 2, 2024 (Doc. 5), are

3 **ADOPTED IN FULL.**

4 2. Within 21 **days** following the date of service of this order, Plaintiff shall pay the  
5 \$405.00 filing fee in full to proceed with this action.

6 If Plaintiff fails to pay the filing fee within the specified time, this action will be dismissed  
7 without prejudice.

8  
9 IT IS SO ORDERED.

10 Dated: **October 27, 2024**

  
UNITED STATES DISTRICT JUDGE